PRESERVED Preserve

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App F IX 4

Previous References
21 213 31 (1-5)

1934-5
(Rule)

File No 213-34
Serial Nos /

Later References
21 213-36 (2243)
" 86-39 122, 123
21 5640 44 5758)

P. 11

GENERAL AND REVENUE SECRETARIAT

Serial Nos 621 —

Part B for May 1935

SUBJECT

Rules for the registration of shops for the sale of drugs and the licensing of persons who act as Compounders or dispensers therein in Burma or Burma exclusive of the State

Sec 1) No L6994 of 6 4 1935

WD 01965—GPB—15 000—7 7-34

The Computer Superintendent
No L6995-7002 of 6 4 35
Copy to Dr of Rts for information

20 3 37 35

Serial No

1) Rules re registration of shops for the sale of drugs etc

Under section 106 (2) (xx) of the Indian Medical Act 1933, rules have to be issued in respect of certain matters for the purpose of regulating the registration of shops for the sale of drugs and the licensing of persons who act as compounders or dispensers thereof.

A set of draft rules based on sections 150 & 151 of the Indian Medical Act regulating the matter is put up. The rules have been modified in regard to the application of rules 2, 4 & 5 and provision has been made for applying them as dispensed with. As these rules become law or have the force of law after one month from the date of publication, it has to be construed that rules 2, 4 & 5 come into operation at the end of one month after issue. We have also made an addition to the memo to the Rules, The Law section may also be consulted.

2) Please note why provisions of rules 2, 4 & 5 are dispensed with when that is necessary in the case

20/12/34 M/20/12

NOTE—Contn Sheet

(D) 01955—GPB—22 00—12 6-34

of Jams Meters - Copies of any in which it is held that
on publication is unnecessary may also be sent us

for
23/12

3) The power which the Govt has
under the Old Act of 1878 has
been taken away and uniform rules are to
be issued by the Govt so as to make them
applicable to all the Govt Rl Cs under
the Govt Rs this Act of 1933 It would
not perhaps be in keeping with the Spirit
of the Legislature to provide in the
draft rules in question in such a way as to
allow each Rl C to make an application
to Govt in this behalf, as is in relation
respecting the Govt Rs this Act of 1933
The rules will come into force as
laid down in the Govt Rs this Act one month
after they are published Breaches of the rules
is proposed to be made punishable, two months
after the Rl Cs have issued a notice to
that effect In this view it is submitted
that the rules are uniform & suitable
Subject for orders

for
11/2/34

4) The Senior Surgeon may be
consulted as to regard to the proposed rules

Secretary

for
21/2

for 21/2

Serial No

ONO 174-34
D 21-2-35

5) Forwarded with compliments to the Senior Surgeon with the Govt Dy Surgeon for favour of opinion

By order
Asst Secretary
for Secretary

217-1
7 3 35

6) The Notification may be issued as several L well as Medical Graduates may settle down as Private Practitioners in the smaller towns, in which case a regulation of shops for the sale of drugs will be called for

S Subba Rao
Senior Surgeon

7 The draft rules may be approved

Dy Secy) Asst 7/3

8 The law member may also be consulted

Lawther
Wwcamp)

5402
8/3

9 The proposed rules under sec 106 (2) (m) the amend and Regn for regulating the sale of Shops & for the sale of drugs etc, are based on sections 150 and 151 of the Town Act & Previous publication of the rules necessary under the provisions of the above sections Dispe

WP 61955—GPB—22 500—12 6-34

Rules re Registration of Ships for the Dates of Boys etc
5191
in minor Ports

File No | of 193 | General and Revenue Secretariat

for reasons noted in para 3 supra
10 there seems no legal objection to the proposed
rules being adopted

11 Previous Publication ~~in the~~
~~Issue that~~ within the meaning
of Sec 23 of the General clauses
Act is not necessary for rules
under Sec 106 of the Merchant
Shipping Act

12 The rules proposed are
all right & may be adopted

5667
20/3

Asst Secy
Legislative
RMP
18/3

Dy Secy
AM
20/3

13 Answer is when pursuant to call
for opinions I am afraid there will
be strong protests from Karachi interests

MM
23

14 May be submitted
Secy Revenue

MM
25/3

JPZ
25/3

MM
25/3

Secy Revenue Dept
AM
29/3

OFFICE OF
RECORD MEMBER OF GOVT
26 MAR 1935
No 5667

29 MAR 1935
GENL

2857/B

To
The Compiler, Mng
No 26994 Dy 64.3
Notifg the rules made
Sec 106(2)(m) of the
Mun Mths Repn Act regdg
grants for the salary &
allowg of persons who
act as Compounders etc—

To
The Dirs of Dists
No L6995-7002 Dy 64
Dy Cy of Govt wrts
a direction that atten
notice should be given
this behalf to the
existg Compounders

Frontless
for
11/4/31 ✓
B

16/3/31

L6994 dt 6-4-55 17 copies

Ml 213-34-1

In exercise of the powers vested in them under section 106(2) (m) of the Mysore Municipalities Regulation, 1953, The Govt are pleased to make the following rules for the regulation of shops for the sale of drugs & the licensing of persons who act as Compounders or dispensers therein in the municipalities in the State

Registry for shops for sale of European drugs

1 (1) No shop or place shall be kept for the retail sale of drugs recognised by the British Pharmacopœia not being also articles of ordinary domestic consumption unless the same is registered in the office of the municipal council within two months after the commencement of this Regulation or if the shop or place is established after the commencement of this Regulation then within two months from the date of its establishment Any keeper of such shop or place failing to so register the same shall be liable to a fine not exceeding one hundred rupees The municipal council shall upon payment of such fees as may be prescribed in this behalf register such shop or place in a book kept for the purpose and grant the keeper of the shop or place a license which shall be displayed in some conspicuous part of the premises registered

Certificated dispenser

2 (2) No person shall compound mix prepare dispense or sell any drug in any such registered shop or place unless he be duly certified as a fit person to be entrusted with the duties prescribed in this behalf and every such person shall be bound to produce his certificate for inspection when required to do so by a magistrate a medical officer not below the rank of an assistant surgeon or the health officer of the municipality District

Provided that the provisions of this sub section shall not come into operation in any municipality until after the expiration of a period of six months from the publication of a notification by the Government in the official gazette extending the same to such municipality

3 (3) Nothing in this section contained shall be construed to apply to the sale of drugs used by practitioners of indigenous systems of medicine whether recognised by the British Pharmacopœia or not when such drugs are not sold in a shop or place where medicines recognised by such pharmacopœia are dispensed upon prescription

Uncertificated person dispensing drugs

4 151. (1) Whoever within a municipality not being the holder of such certificate as is mentioned in sub-section (2) of section 150 shall compound mix prepare or sell any drugs shall on conviction before a magistrate be liable to a fine not exceeding fifty rupees for each offence and any owner occupier or keeper of any such shop or place who shall employ any such uncertificated person to perform any one or more of such duties shall on conviction before a magistrate be liable to a fine not exceeding two hundred rupees and shall be further liable at the discretion of such magistrate to forfeit his license

5 (2) Whoever being the holder of such a certificate as is mentioned in sub-section (2) of section 150, fails to produce the same for inspection when called upon to do so by any of the officers mentioned in the said sub-section shall on conviction before a magistrate be liable to a fine not exceeding ten rupees

Provided that this section shall not come into operation until after the expiration of a period of six months from the publication of a notification to that effect in the official gazette by the Government

By order,

17 Copies

25 copies to each of the D's
of Distts and 100 copies to the
Secty

Memo no L-6995-7062 of 6-4-35

Copy to the D cs of
Distts for information &
Communication to the
Presidents of municipalities
with them Their Distts for
necessary action

The Presidents of the Rules
should be instructed that in regard to the enforcement of the provisions of
Rules 2, 4 & 5 in respect of B O
the existing Compounders, Proprietors
or owners or keepers are either
of them a Special notice for Secy to Govt -
will be issued to the effect
that after the expiry of two
months thereafter, action will
be taken against them under
intimation of the Rules -

Development Deptt

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L6994
Rul213-34-1

General and Revenue Secretariat

Dated Bangalore 30th March 193 5
6-4-35

NOTIFICATION

In exercise of the powers vested in them under section 106(2)(m) of the Mysore Minor Municipalities Regulation, 1933, the Government are pleased to make the following rules for the registration of shops for the sale of drugs and the licensing of persons who act as compounders or dispensers therein in the minor Municipalities in the State:-

1. No shop or place shall be kept for the retail sale of drugs recognised by the British Pharmacopoeia, not being also articles of ordinary domestic consumption, unless the same is registered in the office of the municipal council within two months after the publication of this rule or if the shop or place is established thereafter within two months from the date of its establishment. Any keeper of such shop or place failing to so register the same shall be liable to a fine not exceeding fifty rupees. The municipal council, shall, upon payment of such fees as may be prescribed in this behalf, register such shop or place in a book kept for the purpose and grant the keeper of the shop or place a license which shall be displayed in some conspicuous part of the premises registered.

2. No person shall compound, mix, prepare, dispense or sell any drug in any such registered shop or place unless he be duly certified as a fit person to be entrusted with the same prescribed in this behalf; and every such person shall be bound to produce his certificate for inspection when required to do so by a magistrate, a medical officer not below the rank of an Assistant surgeon or the health officer of the District.

3. Nothing contained in rule shall be construed to apply to the sale of drugs used by practitioners of indi-

systems of medicine whether recognised by the British Pharmacopoeia or not, when such drugs are not sold in a shop or place where medicines recognised by such pharmacopoeia are dispensed upon prescription.

4. Whoever, within a municipality, not being the holder of such certificate as is mentioned in rule 2 shall compound mix, prepare or sell any drugs, shall, on conviction before a magistrate, be liable to a fine not exceeding fifty rupees for each offence; and any owner, occupier or keeper of any such shop or place who shall employ any such uncertified person to perform any one or more of such duties, shall, on conviction before a magistrate, be liable to a fine not exceeding two hundred rupees and shall be further liable at the discretion of such magistrate to forfeit his license.

5. Whoever, being the holder of such a certificate as is mentioned in rule 2 fails to produce the same for inspection when called upon to do so by any of the officers mentioned in the said rule shall, on conviction, before a magistrate, be liable to a fine not exceeding ten rupees.

By Order,

Sd/- M.Venkataramanappa,

Secretary to Government,
Development Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and supply of 25 copies to each of the Deputy Commissioners of Districts and 100 copies to the Secretariat.

Memo No. L6995-7002-96-4-35

Copy of the above is forwarded, with compliments, to the Deputy Commissioners of Districts, for information and communication to the Presidents of minor municipal councils within their Districts for necessary action. The Presidents of the Municipal Councils should be instructed that in regard to the enforcement of the provisions of rule 2,4 & 5 in respect of existing compounders, or dispensers or owners or keepers or occupiers of shops, a special notice should be issued to the effect that after the expiry of two months thereafter, action will be taken against them for the violation of the rules.

By Order,

Asst. Secretary to Govt.
Development Department.

F.N.9

NOTIFICATION

No I 6994—Ml 213 34 1 dated Bangalore 30th March—6th April 1935

In exercise of the powers vested in them under Section 106 (2) (m) of the Mysore Minor Municipalities Regulation 1933 the Government are pleased to make the following rules for the registration of shops for the sale of drugs and the licensing of persons who act as compounders or dispensers therein in the Minor Municipalities in the State —

1 No shop or place shall be kept for the retail sale of drugs recognised by the British Pharmacopoeia not being also articles of ordinary domestic consumption unless the same is registered in the office of the Municipal Council within two months after the publication of this rule or if the shop or place is established thereafter within two months from the date of its establishment Any keeper of such shop or place failing to so register the same shall be liable to a fine not exceeding fifty rupees The Municipal Council shall upon payment of such fees as may be prescribed in this behalf register such shop or place in a book kept for the purpose and grant the keeper of the shop or place a license which shall be displayed in some conspicuous part of the premises registered

2 No person shall compound mix prepare dispense or sell any drug in any such registered shop or place unless he be duly certified as a fit person to be entrusted with the duties prescribed in this behalf and every such person shall be bound to produce his certificate for inspection when required to do so by a Magistrate a Medical Officer not below the rank of an Assistant Surgeon or the Health Officer of the district

3 Nothing contained in rule 1 shall be construed to apply to the sale of drugs used by practitioners of indigenous systems of medicine whether recognised by the British Pharmacopoeia or not when such drugs are not sold in a shop or place where medicines recognised by such pharmacopoeia are dispensed upon prescription

4 Whoever within a Municipality not being the holder of such certificate as is mentioned in rule 2 shal compound mix prepare or sell any drugs shall on con viction before a Magistrate be liable to a fine not exceed ing fifty rupees for each offence and any owner occupier or keeper of any such shop or place who shall employ any such uncertified person to perform any one or more of such duties shall on conviction before a Magi trate be liable to a fine not exceeding two hundred rupees and shall be further liable at the discretion of such Magistrate to forfeit his license

5 Whoever being the holder of such a certificate as is mentioned in rule 2 fails to produce the same for inspection when called upon to do so by any of the officers mentioned in the said rule shall on conviction before a Magistrate be liable to a fine not exceeding ten rupees

By Order

M VENKATANARANAPIA

Secretary to Government
Development Department